

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 70**

[WY-001b; FRL-6234-2]

**Clean Air Act Proposed Full Approval of Operating Permit Program; Approval of Expansion of State Program Under Section 112(l); State of Wyoming****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Proposed rule.

**SUMMARY:** The EPA is taking direct final action to approve the operating permit program submitted by the State of Wyoming. Wyoming's program was submitted for the purpose of meeting the Federal Clean Air Act directive that states develop, and submit to EPA, programs for issuing operating permits to all major stationary sources and to certain other sources within the states' jurisdiction. In the "Rules and Regulations" section of this **Federal Register**, the EPA is promulgating full approval of the Wyoming program as a direct final rule without prior proposal because the Agency views this as a noncontroversial action and anticipates no adverse comments. A detailed rationale for the approval is set forth in the preamble to the direct final rule. In addition, EPA is also approving the expansion of Wyoming's program for receiving delegation of section 112 standards to include non-part 70 sources. If no adverse comments are received in response to this rule, no further activity is contemplated in relation to this rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

**DATES:** Comments must be received in writing on or before March 24, 1999.**ADDRESSES:** Written comments may be mailed to: Richard R. Long, Director, Air and Radiation Program, Mailcode 8P-AR, Environmental Protection Agency (EPA), Region VIII, 999 18th Street, Suite 500, Denver, Colorado 80202. Copies of the documents relevant to this action are available for public inspection during normal business at the above address. Copies of the State documents relevant to this action are available for public inspection at the Wyoming Department of Environmental Quality, Air Quality Division, 122 25th Street, Cheyenne, WY 82002.**FOR FURTHER INFORMATION CONTACT:** Patricia Reisbeck, EPA, Region VIII, (303) 312-6435.**SUPPLEMENTARY INFORMATION:** See the information provided in the Direct Final rule of the same title which is located in the Rules section of this **Federal Register**.**Authority:** 42 U.S.C. 7401, *et seq.*

Dated: January 28, 1999.

**William P. Yellowtail,***Regional Administrator, Region 8.*

[FR Doc. 99-4142 Filed 2-19-99; 8:45 am]

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**DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service****50 CFR Part 17**

RIN 1018-AE40

**Endangered and Threatened Wildlife and Plants; Proposed Rule To Remove the Tinian Monarch From the Federal List of Endangered and Threatened Wildlife****AGENCY:** Fish and Wildlife Service, Interior.**ACTION:** Proposed rule and notice of petition finding.

**SUMMARY:** Under the authority of the Endangered Species Act of 1973 (Act), as amended, the U. S. Fish and Wildlife Service (Service) proposes to remove the Tinian monarch (*Monarcha takatsukasae*) from the Federal List of Endangered and Threatened Wildlife. The Tinian monarch is a bird endemic to the island of Tinian in the Mariana archipelago in the western Pacific Ocean. It was listed as endangered on June 2, 1970, because its populations were thought to be critically low due to the destruction of native forests by pre-World War II (WW II) agricultural practices and military activities during WW II. Forest bird surveys conducted by the Service in 1982 resulted in a population estimate of 40,000 monarchs. Based on the results of this survey, we downlisted the monarch to threatened status on April 6, 1987. A study of monarch breeding biology in 1994 and 1995 suggested a rough population estimate of 52,904 birds. In 1996, a replication of the 1982 surveys yielded a population estimate of 55,721 birds, a significant increase from 1982 levels. The 1996 survey also found significantly denser forest habitat from 1982 levels, which may reflect an increase in monarch habitat quality. This proposed rule acknowledges the increase in population numbers and the

likely improvement in habitat quality. If made final this rule would remove Federal protection provided by the Act for this species. Removal of Federal protection for the Tinian monarch does not nullify protections provided by the government of the Commonwealth of the Northern Mariana Islands (CNMI) to the monarch as a protected wildlife species or its designation by CNMI as a threatened or endangered species. This proposal also constitutes a finding on a petition to delist this species.

**DATES:** We must receive comments from all interested parties by April 23, 1999. We must receive public hearing requests by April 8, 1999.**ADDRESSES:** Send comments and materials concerning this proposal to the Field Supervisor, U.S. Fish and Wildlife Service, Pacific Islands Ecoregion, 300 Ala Moana Boulevard, Room 3-122, Box 50088, Honolulu, Hawaii 96850. Comments and materials received will be available for public inspection, by appointment, during normal business hours at the above address.**FOR FURTHER INFORMATION CONTACT:** Michael R. Lusk, Staff Biologist, Pacific Islands Ecoregion, (see **ADDRESSES** section), telephone 808/541-3441; facsimile 808/541-3470.**SUPPLEMENTARY INFORMATION:****Background**

The Tinian monarch, locally known as Chuchurican Tinian, was first recognized as a species in 1931, when it was described by Y. Yamashina (Takatsukasa and Yamashina 1931). It is a small (15 centimeters (6 inches)) flycatcher (Family Monarchidae) with light rufous underparts, olive-brown upper parts, dark brown wings and tail, and white rump and undertail coverts (Baker 1951). The monarch is endemic to the island of Tinian, CNMI. However, a recent examination of museum specimens by Peters (1996) suggests that a now extirpated population may have once existed on the island of Saipan, CNMI. The monarch inhabits a variety of forest types on Tinian, including native limestone forest (dominated by such species as *Ficus* spp., *Elaeocarpus joga*, *Mammea odorata*, *Guamia mariannae*, *Cynometra ramiflora*, *Aglaia mariannensis*, *Premna obtusifolia*, *Pisonia grandis*, *Ochrosia mariannensis*, *Neisosperma oppositifolia*, *Intsia bijuga*, *Melanolepis multiglandulosa*, *Eugenia* spp., *Pandanus* spp., *Artocarpus* spp., and *Hernandia* spp.), secondary vegetation (consisting primarily of *Acacia confusa*, *Albizia lebbbeck*, *Casuarina equisetifolia*, *Cocos nucifera*, and *Delonix regia* with